

## ORDINANCE NO. 6975

### AN ORDINANCE TO AMEND ARTICLE VI, SMOKING IN PUBLIC PLACES (A06-0182)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

SECTION 1. That Section 13-92 "Definitions" of Article VI "Smoking in Public Places" of the Code of Tuscaloosa be amended by the addition of the following in correct alphabetical order:

*"On premise alcohol licensee: A lounge liquor licensee, restaurant liquor licensee, on premise beer licensee or on premise wine licensee."*

*"Restaurant: The indoor area of any establishment in the City licensed by the City as a Restaurant Licensee. Provided however, the term "Restaurant" shall not apply to any Restaurant that is also an on premise alcohol licensee **after 10:00 p.m. each day until 6:00 a.m. the following day.***

SECTION 2. That Section 13-93(a) "Prohibited acts" of Article VI "Smoking in Public Places" of the Code of Tuscaloosa be amended to read as follows:

*"(a) It shall be unlawful and a violation of this article for any person in the City to:"*

SECTION 3. That Section 13-93(a) "Prohibited acts" of Article VI "Smoking *in Public Places*" of the Code of Tuscaloosa be amended by the addition of subsection 8 as follows:

#### **Sec. 13-93. Prohibited acts.**

*"(8) Smoke in a Restaurant."*

SECTION 4. That Section 13-95(b)(5) "Designation of smoking areas" of Article VI "Smoking in Public Places" of the Code of Tuscaloosa be amended by the addition of subsection g. as follows:

*"g. Restaurants"*

SECTION 5. That Section 13-94 "Duty to post no smoking symbols" of Article VI "Smoking in Public Places" of the Code of Tuscaloosa be amended to read as follows:

**"Sec. 13-94. Duty to post no smoking symbols.**

(a) The owner, lessee or person otherwise in control of any municipal facility, municipal agency facility, licensed business premises or service line or any area or thing in or upon which smoking is prohibited by this article shall prominently post in such places the international "No Smoking" symbol, consisting of a pictorial representation of a lighted cigarette enclosed in a red circle, with a bar across the same. The sign shall be posted in a clear and conspicuous manner in every such area.

(b) It shall be the responsibility of an on premise alcohol licensee not licensed by the City as a Restaurant to designate his/her licensed premises as either smoking or non-smoking by prominently posting a sign clearly indicating the words "SMOKING" or "NO SMOKING", whichever is elected, or the international "NO SMOKING" symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it at every entrance.

(c) Any Restaurant that is also an on premise alcohol licensee that permits smoking from 10:00 p.m. until 6:00 a.m. the next day shall prominently post signs at the public entrances to the establishment informing the public that smoking is permitted from 10:00 p.m. until 6:00 a.m."

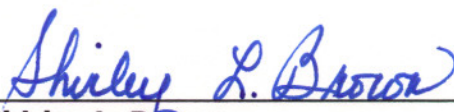
SECTION 6. That the effective date of this ordinance shall be the 2<sup>nd</sup> day of January, 2007.

STATE OF ALABAMA       )  
TUSCALOOSA COUNTY    )

I, Shirley L. Brown, Assistant City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing and attached is a full, true, and correct copy of Ordinance No. 6975 duly adopted by the City Council of Tuscaloosa at a regular meeting of said council held on the 26<sup>th</sup> day of October 2006, as the same appears and remains of record in the record book in the office of the City Clerk wherein are recorded the minutes of proceedings of said council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said city of Tuscaloosa this the 8<sup>th</sup> day of August 2007.



  
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Shirley L. Brown  
Assistant City Clerk